

# An Act

SENATE BILL 17-125

BY SENATOR(S) Guzman, Crowder, Fenberg, Fields, Garcia, Hill, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Tate, Todd, Williams A.; also REPRESENTATIVE(S) Pabon, Arndt, Becker K., Benavidez, Esgar, Exum, Foote, Herod, Hooton, Kraft-Tharp, Lebsack, Lee, Lontine, McKean, Melton, Michaelson Jenet, Mitsch Bush, Saine, Salazar, Van Winkle, Weissman, Williams D., Young, Duran.

CONCERNING ALLOWING CERTAIN PERSONS WHO HAVE BEEN EXONERATED OF CRIMES TO RECEIVE IN LUMP-SUM PAYMENTS COMPENSATION THAT IS OWED TO THEM BY THE STATE.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 13-3-114, add (8) as follows:

**13-3-114. State court administrator - compensation for exonerated persons - definitions - annual payments - child support payments - financial literacy training - qualified health plan - damages awarded in civil actions - reimbursement to the state.** (8) (a) AT ANY POINT AFTER THE STATE COURT ADMINISTRATOR MAKES AN ANNUAL PAYMENT TO AN EXONERATED PERSON PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE EXONERATED PERSON MAY ELECT TO RECEIVE THE

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

REMAINING BALANCE OF THE STATE'S DUTY OF MONETARY COMPENSATION  
IN A LUMP SUM BY:

(I) NOTIFYING THE STATE COURT ADMINISTRATOR, THE GOVERNOR,  
AND THE GENERAL ASSEMBLY OF SUCH ELECTION, WHICH NOTIFICATION  
MUST BE PROVIDED IN WRITING;

(II) COMPLETING A PERSONAL FINANCIAL MANAGEMENT  
INSTRUCTION COURSE; AND

(III) ACQUIRING AND COMMITTING TO MAINTAIN A QUALIFIED  
HEALTH INSURANCE PLAN.

(b) UPON RECEIVING WRITTEN DOCUMENTATION THAT AN  
EXONERATED PERSON HAS SATISFIED THE REQUIREMENTS DESCRIBED IN  
SUBSECTION (8)(a) OF THIS SECTION, THE STATE COURT ADMINISTRATOR  
SHALL PAY TO THE EXONERATED PERSON THE BALANCE OF THE STATE'S  
DUTY OF MONETARY COMPENSATION NOT LATER THAN ONE YEAR AFTER  
RECEIVING SUCH WRITTEN DOCUMENTATION.

**SECTION 2.** In Colorado Revised Statutes, 13-65-103, amend  
(2)(f) as follows:

**13-65-103. Compensation for certain exonerated persons -  
monetary compensation - financial literacy training - penalty for lack  
of a qualified health plan - expungement of records - damages  
awarded in civil actions. (2)** A district court that directs the state court  
administrator to compensate an exonerated person or an immediate family  
member of an exonerated person pursuant to this section shall reduce the  
directions to writing and include within the directions:

(f) A statement notifying the person and the state court  
administrator that, pursuant to section 24-30-209 (4), ~~C.R.S.~~, the  
exonerated person is required to complete a personal financial management  
instruction course before the state court administrator may issue to the  
exonerated person more than one annual payment of monetary  
compensation OR A LUMP-SUM PAYMENT, AS DESCRIBED BY SECTION  
13-3-114 (8);

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.



Kevin J. Grantham  
PRESIDENT OF  
THE SENATE



Crisanta Duran  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES




Effie Ameen  
SECRETARY OF  
THE SENATE



Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED 2:12 PM 4/11/17

  
John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO